

UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD

KMAC, INC. AND ACOUSTICAL SOUND  
FLOORS, INC., Alter Egos and a Single  
Employer

and

CONSTRUCTION AND GENERAL  
LABORERS LOCAL 563

NLRB Case 18-CA-185912

**RESPONDENTS'**  
**MOTION FOR SUMMARY JUDGMENT**

KMAC, Inc. ("KMAC") and Acoustical Sound Floors, Inc. ("Acoustical") (collectively referred to as "Respondents"), by and through their attorneys Seaton, Peters & Revnew, P.A., and pursuant to Rule 56 of the Federal Rules of Civil Procedure and Sections 102.24 and 102.50 of the Rules and Regulations of the National Labor Relations Board ("NLRB" or "Board"), hereby move the Board for an Order to transfer this matter to the Board, and further, to issue an Order to Show Cause why Summary Judgment should not be entered dismissing the Complaint. Respondents' Brief in Support of Summary Judgment, with attached exhibits, is submitted herewith.

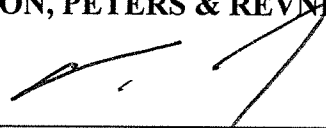
In support of the instant Motion, as detailed in the accompanying Brief, Counsel for Respondents asserts that there is no dispute of material fact in this matter, and that the Board should dismiss the Complaint as matter of law based on the Board's well established standards for deferral to arbitration awards. In the alternative, the Board should dismiss the Complaint as untimely under Section 10(b) of the Act.

Respectfully Submitted,

**SEATON, PETERS & REVNEW, P.A.**

Dated: September 12, 2018

By



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